



S/N 09/806,989

16148  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LAUTT	Examiner:	C. Delacroix-Muirheld
Serial No.:	09/806,989	Group Art Unit:	1614
Filed:	May 29, 2001	Docket No.:	14217.1USWO
Title:	METHOD FOR TREATING INSULIN RESISTANCE THROUGH HEPATIC NITRIC OXIDE		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2004.

By:

Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

11/02/2004 STEUMEL1 00000046 132725 09806989

01 FC:1806 50.00 DA 130.00 OP

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

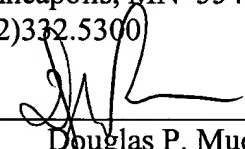
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332.5300

Dated: October 27, 2004

By:   
Douglas P. Mueller  
Reg. No. 30,300

DPM/pjk





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LAUTT  
Serial No.: 09/806,989  
Filed: May 29, 2001  
Confirmation No.: 7861  
Due Date: n/a  
Title: METHOD FOR TREATING INSULIN RESISTANCE THROUGH HEPATIC NITRIC OXIDE

Examiner: C. Dalacroix-Muirheld  
Group Art Unit: 1614  
Docket: 14217.1USWO  
Notice of Allow. n/a  
Date:

**CERTIFICATE UNDER 37 CFR 1.8:**  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 27, 2004.  
By: Peggy Kerkhove  
Name: Peggy Kerkhove

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 5 Reference(s)
- ☒ Check(s) in the amount of \$180 for the IDS filing fee
- ☒ Return postcard

The PTO did not receive the following listed item(s) check # 180.00  
But \$ 130.00

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: Douglas P. Mueller  
Name: Douglas P. Mueller  
Reg. No. 30,300  
DPM/pjk

**FORM 1449\*****INFORMATION DISCLOSURE STATEMENT****IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number:

14217.0001USWO

Application Number:

09/806,989

Applicant: LAUTT

Filing Date: May 29, 2001

Group Art Unit: 1614

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,370,862	December, 1994	Klokkers-Bathke, et al.			
	5,580,576	December, 1996	Veronesi, et al.			

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

		Sadri, et al., "Blockade of Nitric Oxide Production in the Liver Causes Insulin Resistance", Proc. West. Pharmacol. Soc. 41: 37 (1998)
		Young, et al., "Evidence for altered sensitivity of the nitric oxide/cGMP signaling cascade in insulin-resistant skeletal muscle", Biochem. J. (1998) 329, 73-79
		Moncada, et al., "Nitric Oxide: Physiology, Pathophysiology, and Pharmacology", Pharmacological Reviews, vol. 43, no. 2, 109-115, 1991

**23552**

PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.